GOVERNMENT OF MYSORE

LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute Between the Workmen and the Management of Pandavapura Sahakara Sakkare Karkhane Ltd,, Pandavapura, Mandya District.

Award of the Labour Court Bangalore—Published.

Read the following papers:—

(1) Letter No. 1541/66-67, dated 2nd March 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE-1.

Dated 2nd March 1967.

Present:

Sri P. T. Kadkol, B.Sc., LL.B. ... Presiding Officer.

Reference No. 116 of 1966.

Workmen represented by the Secretary, P.S.S.K. Employees Association, M.C. Road, Mandya. ... *I Party.*

and

The Management of Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura, Mandya District. ... *II Party.*

Reference.

Government Order No. LMA 640 LLD 65, dated 19th September 1966.

AWARD.

The Government of Mysore being of opinion that an industrial dispute exists between the Workmen and the Mangement of Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura have referred it for adjudication to this Court under Section 10 (1) (c)

of the Industrial Disputes Act, 1947, by their Order No. LMA 640 LLD 65, dated 19th September 1966, setting out the following points of dispute for adjudication :—

"Is the Management of Pandavapura Sahakara Sakkare Karkhane Limited, Pandavapura, justified in dismissing the following workers ? If not are the workers entitled to reinstatement with back wages and continuity of service or to any other relief ?

(1) Sanne Gowda (2) S. M. John (3) Gabrial and Marankegowda."

2. The cause of the aggrieved workmen has been sponsored by the P.S.S.K. Employees Association, Mandya which is a registered trade union. This Union as representing the workmen is the first party and the management of M/s Pandavapura Sahakara Sakkare Karkhane Ltd., is the second party in this proceeding. The first party is represented before me by its Secretary, Mr. N L. Nagappa and the Management by its Security, Officer, Mr. M. R. Jagatap.

3. In response to the notice issued by this court the First Party has put in its statement of claims dated 13th October 1966 and the second party has put in its statement of objections dated 13th December 1966.

4. On the basis of these pleadings seven issues were framed by me and set down for hearing on 20th January 1967 (*Vide* Order sheet)

5. There is however no need to go into the details of either the claim statemens or the statement of objections and the issues framed now, as the parties have settled the dispute out of court and submitted a joint memorandum of settlement and asked me to pass an award in terms thereof. The referred dispute deals with the termination of the Services of four employees. The contention of the second party with respect to Sanne Gowda is that he had stayed away from work voluntarily and that it has not terminated his services. With regard to S. M John, its contention is that he was only a seasonal employee and had no right to demand that he should be employed in every season. Gabriel and Marankegowda have been dismissed by the second party after a domestic enquiry. When the case came up before me for evidence at Mysore Camp on 28th February 1967 the entire case was discussed in open court. Thereafter the second party has agreed to reinstate Sri S. M. John

and Sri Gabrial and the first party has agreed not to press the reinstatement of Sanne Gowda and Marankegowda. The memorandum of settlement has been marked as Ex. A. After hearing the statements made before me and after going through the records of the domestic enquiry I am of the view that the settlement now reached by the parties is in the interests of both of them and also in the interest of promotion of industrial peace. Hence I am inclined to accept this settlement and I do so.

6. In the result I make anaward as under :—

AWARD

Reference is accepted. An award is made between the parties in terms of the memorandum of settlement Ex. A which should be annexed to this Award and be treated as forming part thereof. Parties do bear their own costs.

P. T. KADKOL,

Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT,
BANGALORE.

Reference No. 116/66

First Party.		*Second Party.*
Workmen P.S.S.K. Ltd., Pandavapura.	*Vs.*	Management, P.S.S.K. Ltd., Pandavapura.

The parties in the above dispute beg to file the following Settlement.

Terms of Settlement.

1. Out of the four aggrieved workmen (1) Sanne Gowda (2) S.M. John (3) Gabriel (4) Marankegowda, it is agreed that first party does not press the demand of Sri Sannegowda and Marankegowda be reinstated. They will have no claim whatsoever on the Managem nt of the I nd party.

2. It is further agreed that the remaining two workmen (1) Sri. S. M. John (2) Gabriel be reinstated in their former posts with continuity of service and half the emoluments from the date

of their termination of service and their reinstatement. The reinstatement of Sri S. M. John is subject to his producing heavy vehicles driving licence within two months from to-day. If the said licence is not produced by him within time allowed his reinstatement in the former post with half the emoluments will stand cancelled. The parties pray the Honourable Court to pass an Award in terms of this Settlement.

For I Party workmen.
Sd/N. L. Nagappa.
28—2—1967.

For II Party Management.
Sd/M R. Jagatap
28—2—67.

Secretary,
P. S. S K. Empl yees'
Asscciation.

Settlement admitted before me by the learned representatives of both parties. Filed, Recorded and marked Ex.A.
Sd/P. T. Kadkol,
28—2—1967.
Mysore.

"True Copy"

Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated 25th March 1967.

S. O. 711.—WHERREAS by State Government Order No. LMA 640 LLD 65, dated 19th September 1966, the Industrial Dispute between the Workmen and the Management of Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura Mandya District was referred to the Labour Court, Bangalore for adjudication.

AND WHERREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 640 LLD 65.]

By Order and in the name of the Governor of Mysore,
G. G. PUROHIT, *Under Secy.*

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